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09/752,201

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Bradley W. Mitchell

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11/27/2006

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EXAMINER

ALI, MOHAMMAD

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/752,201

**Applicant(s)**

MITCHELL, BRADLEY W.

**Examiner**

Mohammad Ali

**Art Unit**

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 and 24-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 and 24-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This communication is in response to the appeal brief filed on 09/05/06.

Applicant's amendments have been considered and amendment makes all claims parallel.

Therefor, the application considered only one invention and hereby restriction requirement is been withdrawn.

### ***Drawings***

2. Applicants' have filed informal drawings. Formal drawings will be required when the application will be allowed.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-22 and 24-31 rejected under 35 U.S.C. 103(a) as being unpatentable over Crookham et al. ('Crookham' hereinafter), USPGPUB 2005/0138106 in view of Adams et al. ('Adams' hereinafter), USP, 7,025,674.

With respect to claim 1,

Crookham discloses a method of compiling electronic data (para. 0045) comprising:

(a) receiving electronic data on a computing platform from at least one external source, wherein the electronic data relates to online activity (para. 0087);

(b) inserting at least a portion of the collected data into one or more data fields (para. 0033, Fig. 4), wherein said one or more data fields comprise an electronic scoreboard of interrelated data (para. 0032);

(c) updating said electronic scoreboard of data (para. 0036); and

(d) calculating at least one measurement of updated scoreboard data (para. 0087).

Crookman does not explicitly indicate "electronic data relates to online activity".

Adams discloses electronic data relates to online activity (a player may "visit" a sponsor either physically by traveling to redeem promotional points at a sponsor's location, or electronically through the Internet to redeem promotional points online, see col. 16, lines 14-18, Adams).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because electronic data relates to online activity of Adams teachings would have allowed Crookman's system to retrofitting conventional electronic and electro mechanical games with displays and interactive communications capability with the remote communication modules as suggested by Adams at col. 6, lines 46-50, Adams. Electronic data relates to online activity as taught by Adams improves to awards accumulating and redeemed promotional points using an electronic game (see col. 1, lines 12-14, Adams).

As to claim 2,

Crookham teaches wherein said at least one external source comprises a remote computing platform coupled by a network to the computing platform that receives the electronic data (para. 0095, Fig. 1A, 2).

As to claim 3,

Crookham teaches wherein said at least one external source further comprises data collection software executing on said remote computing platform (para. 0097, Fig. 10).

As to claim 4,

Crookham teaches wherein updating said electronic scoreboard of data comprises removing at least a portion of collected electronic data after a particular amount of time has elapsed (paras. 0030, 0032).

As to claim 5,

Crookham teaches wherein updating said electronic scoreboard of data comprises removing at least a portion of collected electronic data after a particular amount of data is collected (paras. 0045, 0085).

As to claim 6,

Crookham teaches wherein said one or more data fields contain one or more periodically updated lists of related electronic data values (para. 0075 and Fig. 4).

With respect to claim 7,

Crookham discloses a method of reporting electronic data, said method (para. 0076) comprising:

(a) retrieving at least a portion of one or more measurement values related to the electronic data, wherein the electronic data relates to online activity (para. 0081);

(b) comparing (para. 0078) at least a portion of one or more measurement values to one or more threshold values (para. 0091, threshold 'predefined');

(c) determining whether to designate at least a portion (para. 0045) of the electronic data related to the one or more measurement values for reporting, based at least in part on the comparison (para. 0088); and

(d) sending at least the portion of the electronic data designated for reporting to a remote device (para. 0087).

Crookman does not explicitly indicate "electronic data relates to online activity".

Adams discloses electronic data relates to online activity (a player may "visit" a sponsor either physically by traveling to redeem promotional points at a sponsor's location, or electronically through the Internet to redeem promotional points online, see col. 16, lines 14-18, Adams).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because electronic data relates to online activity of Adams teachings would have allowed Crookman's system to retrofitting conventional electronic and electro mechanical games with displays and interactive communications capability with the remote communication modules as suggested by Adams at col. 6, lines 46-50, Adams. Electronic data relates to online activity as taught by Adams improves to awards accumulating and redeemed promotional points using an electronic game (see col. 1, lines 12-14, Adams).

As to claim 8,

Crookham teaches wherein the one or more measurement values comprise statistical values obtained from a sample of the electronic data (para. 0081).

As to claim 9,

Crookham teaches wherein said one or more threshold values (para. 0091, threshold 'predefined') comprise one or more numerical values that relate at least in part to said statistical values (para. 0077).

As to claim 10,

Crookham teaches wherein the electronic data comprises text data (para. 0084).

As to claim 11,

Crookham teaches wherein comparing comprises: comparing (para. 0078) the one or more threshold values to the one or more measurement values, and issuing at least one electronic report if the one or more measurement values exceeds the one or more threshold values (para. 0091, threshold 'predefined').

As to claim 12,

Crookham teaches wherein the one or more threshold values are configurable (para. 0091, threshold 'predefined').

As to claim 13,

Crookham teaches wherein the configuration is determined by a user (para. 0078).

As to claim 14,

Crookham teaches wherein the remote device comprises a computing platform capable of receiving electronic data (Figs. 1A and 2).

As to claim 15,

Crookham discloses a method of generating electronic reports (para. 0040), said method comprising:

- (a) collecting electronic data from at least one external source (para. 0096);
- (b) inserting the collection of electronic data into a plurality of associated data fields (Fig. 4, para. 0072);
- (c) assigning scores to at least a portion of the data contained in the plurality of data fields (para. 0109);
- (d) issuing electronic reports based at least in part on said scores (paras. 0010, 0045).

With respect to claim 16,

Crookham teaches wherein steps (b), (c) and (d) are repeated based at least in part on additional collected electronic data (para. 0088).

With respect to claim 17,

Crookham discloses a method of data reduction (para. 0030) comprising:  
receiving interrelated electronic data regarding electronic transactions occurring via at least one selected web site (para. 0095, Fig. 9);

compiling said interrelated data into a plurality of data fields (Fig. 4), said data fields arranged to provide sample statistics of said interrelated data (para. 0081);



updating said interrelated electronic data fields with additional data regarding more recent electronic transactions occurring via said at least one selected web site, wherein said updating updates said sample statistics (para. 0081);

after at least one update, comparing said updated sample statistics (para. 0081) with at least one preset threshold value (para. 0091, threshold 'predefined'); and generating at least one report based at least in part on the comparison (para. 0078).

Crookman does not explicitly indicate "electronic data relates to online activity".

Adams discloses electronic data relates to online activity (a player may "visit" a sponsor either physically by traveling to redeem promotional points at a sponsor's location, or electronically through the Internet to redeem promotional points online, see col. 16, lines 14-18, Adams).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because electronic data relates to online activity of Adams teachings would have allowed Crookman's system to retrofitting conventional electronic and electro mechanical games with displays and interactive communications capability with the remote communication modules as suggested by Adams at col. 6, lines 46-50, Adams. Electronic data relates to online activity as taught by Adams improves to awards accumulating and redeemed promotional points using an electronic game (see col. 1, lines 12-14, Adams).

As to claim 18,

Crookham teaches wherein said sample statistics comprise at least the mean and standard deviation (para. 0081).

As to claim 19,

Crookham teaches wherein said threshold value is configurable (para. 0091, threshold 'predefined').

As to claim 20,

Crookham teaches and further comprising: updating said one or more data fields by omitting at least a portion of the collected electronic data other than said additional data (Fig. 4).

As to claim 21,

Crookham discloses a method of displaying electronic data, said method (para. 0081) comprising:

(a) receiving at least a portion of electronic data reports from at least one external source, wherein the electronic data reports comprise electronic data collected from one or more online activities and compiled, and reported based at least in part on a priority system (para. 0081); and

(b) displaying (Fig. 6) at least a portion of the electronic data reports as a computer output (Fig. 1A, 2).

Crookman does not explicitly indicate "electronic data relates to online activity".

Adams discloses electronic data relates to online activity (a player may "visit" a sponsor either physically by traveling to redeem promotional points at a sponsor's

location, or electronically through the Internet to redeem promotional points online, see col. 16, lines 14-18, Adams).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because electronic data relates to online activity of Adams teachings would have allowed Crookman's system to retrofitting conventional electronic and electro mechanical games with displays and interactive communications capability with the remote communication modules as suggested by Adams at col. 6, lines 46-50, Adams. Electronic data relates to online activity as taught by Adams improves to awards accumulating and redeemed promotional points using an electronic game (see col. 1, lines 12-14, Adams).

As to claim 22,

Crookham teaches wherein said electronic data reports comprise data at least partially relating to online or internet activity (para. 0081, Fig. 11).

With respect to claim 24,

Crookham discloses an article (para. 0040) comprising:

a storage medium having stored thereon instructions (Fig. 1A), that when executed by a computing platform, result in execution of an electronic report generator (para. 0045), by:

collecting electronic data from at least one external source (para. 0096);

compiling said collected electronic data (para. 0081); and

reporting said compiled electronic data based at least in part on a priority basis (para. 0040).

Crookman does not explicitly indicate "electronic data relates to online activity".

Adams discloses electronic data relates to online activity (a player may "visit" a sponsor either physically by traveling to redeem promotional points at a sponsor's location, or electronically through the Internet to redeem promotional points online, see col. 16, lines 14-18, Adams).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because electronic data relates to online activity of Adams teachings would have allowed Crookman's system to retrofitting conventional electronic and electro mechanical games with displays and interactive communications capability with the remote communication modules as suggested by Adams at col. 6, lines 46-50, Adams. Electronic data relates to online activity as taught by Adams improves to awards accumulating and redeemed promotional points using an electronic game (see col. 1, lines 12-14, Adams).

As to claim 25,

Crookham teaches wherein said medium further has stored thereon instructions that, when executed, result in said electronic data being compiled by inserting at least a portion of said collected electronic data into one or more data fields (para. 0045).

As to claim 26,

Crookham teaches wherein said medium further has stored thereon instructions that, when executed, result in determining one or more measurement values of said electronic data, wherein said measurement values comprise one or more representative values of at least a portion of said collected electronic data (paras. 0045, 0085).

As to claim 27,

Crookham teaches wherein said medium further has stored instructions that, when executed, result in determining priority based at least in part on the comparison of said one or more measurement values to one or more threshold values, wherein said one or more threshold values comprises one or more numerical values that relate at least in part to said one or more measurement values (para. 0091, threshold 'predefined').

With respect to claim 28,

Crookham discloses a system for generation of electronic reports (para. 0045) comprising:

a computing platform (Fig. 1);

said computing platform being adapted to, in operation, perform the generation of electronic reports (para. 0045) by:

collecting electronic data from at least one external source, wherein the electronic data relates to online activity (para. 0096);

compiling said collected electronic data (para. 0081); and

reporting said compiled electronic data based at least in part on a priority basis (para. 0040).

Crookman does not explicitly indicate "electronic data relates to online activity".

Adams discloses electronic data relates to online activity (a player may "visit" a sponsor either physically by traveling to redeem promotional points at a sponsor's

location, or electronically through the Internet to redeem promotional points online, see col. 16, lines 14-18, Adams).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because electronic data relates to online activity of Adams teachings would have allowed Crookman's system to retrofitting conventional electronic and electro mechanical games with displays and interactive communications capability with the remote communication modules as suggested by Adams at col. 6, lines 46-50, Adams. Electronic data relates to online activity as taught by Adams improves to awards accumulating and redeemed promotional points using an electronic game (see col. 1, lines 12-14, Adams).

As to claim 29,

Crookham teaches wherein compiling said collected electronic data further comprises inserting at least a portion of said collected electronic data into one or more data fields (Fig. 4).

As to claim 30,

Crookham teaches wherein compiling said collected electronic data further comprises determining one or more measurement values of said collected electronic data, wherein said one or more measurement values comprise one or more representative values of at least a portion of said collected electronic data (para. 0033, Fig. 4).

As to claim 31,

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Crookham teaches wherein said priority basis is determined based at least in part on a comparison of said one or more measurement values to said one or more threshold values, wherein said one or more threshold values comprise one or more numerical values (para. 0058) that relate at least in part to said one or more measurement values (para. 0091, threshold 'predefined').

**Contact Information**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (571) 272-4105. The examiner can normally be reached on Monday-Thursday (7:30 am-6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Mohammad Ali  
Primary Examiner  
Art Unit 2166

MA  
November 22, 2006